In the High Court of Punjab and Haryana at Chandigarh.

Civil Revision No.4623 of 2006
Date of decision: 11.9.2006

Jagdeep Singh

--Petitioner.

Versus

Mandeep Kaur and others

--Respondents.

CORAM: HON'BLE MR.JUSTICE S.N.AGGARWAL.

Present:- Mr. Surjit Singh Swaich Advocate, for the petitioner.

S.N.AGGARWAL.J.

Submits that the petitioner is the defendant in the learned trial Court. His evidence has been closed vide order dated 20.3.2006. Further submits that one opportunity be granted to the petitioner on payment of costs. He will tender the costs and also would produce and close the evidence at his own responsibility. Further submits that the case is fixed before the trial Court on 16.9.2006.

If notice of this petition is given to the respondents, it will cause delay in the disposal of this petition and also the case which is pending in the trial Court since 2002. In the interest of justice, the petitioner should be granted one opportunity to produce and close his evidence at his own responsibility while the opposite side can be compensated by payment of costs.

In these circumstances, this petition is allowed subject to payment of costs of Rs. 4000/- and the petitioner is granted one opportunity to produce and close his evidence. The costs shall be paid on 16.9.2006

for onward payment to the contesting respondents. On that date, the learned trial Court shall grant one opportunity to the petitioner to produce and close his evidence at his own responsibility. If the petitioner fails to tender the costs on 16.9.2006 for onward payment to the respondents or fails to produce and close his evidence on the adjourned date, as stipulated above, he will not be afforded any further opportunity. However, if the case is adjourned for no fault of the petitioner then he will be entitled to another opportunity as well.

A copy of this order be given dasti on payment of usual charges.

11.9.2006. **(S.N. AGGARWAL)**
Anoop **JUDGE**